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8 SERGIO ENRIQUE FERREY-GOMEZ

**FILED**

MAR 30 2006

RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

9 UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 SERGIO ENRIQUE FERREY-GOMEZ,

16 Defendant.

CR 05-00722-JF

EX PARTE APPLICATION FOR MODIFICATION  
OF INTERNATIONAL TRAVEL ORDER

17 The Court previously entered an order allowing defendant SERGIO ENRIQUE FERREY-  
18 GOMEZ permitting him to leave the United States to attend to his family business operations in  
19 Nicaragua. Mr. Ferrey-Gomez is charged in a one-count indictment with making a false statement to  
20 the Drug Enforcement Administration in violation of Title 18 U.S.C. section 1001(a)(2). Mr. Ferrey-  
21 Gomez is a United States citizen and his release is secured by a \$100,000 property bond. Shortly after  
22 his arrest, the Court permitted Mr. Ferrey-Gomez to fly to Los Angeles to embark on a pre-planned,  
23 week-long international cruise. Since his return, Mr. Ferrey-Gomez has diligently complied with all pre-  
24 trial conditions of release.

25 Mr. Ferrey-Gomez has owned and operated La Rubia Coffee Plantation since inheriting it from  
26 his parents in 2001. Mr. Ferrey-Gomez is directly involved in the operations of the business and  
27 regularly travels to Nicaragua to conduct his business. His personal presence is necessary in order to  
28 supervise the harvest of the coffee beans, negotiate and coordinate the sale of the harvested beans,

1 purchase supplies and materials for ongoing operations and manage personnel issues.

2 While in Nicaragua, Mr. Ferrey-Gomez's business problems have multiplied. In addition to  
3 the above mentioned difficulties, Mr. Ferrey-Gomez was served with a lawsuit from a Nicaraguan court  
4 related to his coffee business. A copy of the lawsuit is attached as Exhibit A to the Declaration of  
5 Garrick Lew. This unfortunate circumstance has increased the time Mr. Ferrey-Gomez requires to attend  
6 to his business matters in Nicaragua. The parties have agreed to continue a pending case status hearing  
7 until May 3, 2006, and thus there are no pending court dates that require Mr. Ferrey-Gomez's presence.

8 Counsel has spoken with AUSA Glang who has expressed no opposition to this extension of Mr.  
9 Ferrey-Gomez's stay. Mr. Ferrey-Gomez has already posted an additional \$100,000 bond prior to his  
10 departure. Mr. Ferrey-Gomez owns property in San Francisco and has close family and personal ties  
11 to the area. Mr. Ferrey-Gomez poses no flight risk. For the above reasons, defendant respectfully  
12 requests the Court modify its previous order and allow Mr. Ferrey-Gomez to remain in Nicaragua until  
13 April 24, 2006.

14 DATED: March 27, 2006

15 Respectfully submitted,


16 LAW OFFICE OF GARRICK S. LEW

17  
18 /s/  
19 GARRICK S. LEW  
Attorney for Defendant SERGIO ENRIQUE FERREY-GOMEZ

20 **ORDER**

21 Based on the above, good cause appearing, IT IS HEREBY ORDERED that defendant  
22 SERGIO ENRIQUE FERREY-GOMEZ be permitted to travel to and remain in the Republic of  
23 Nicaragua through no later than April 24, 2006.

24 DATED: 3/29, 2006

25   
26 Honorable Richard Seeborg  
27 Magistrate Judge, U.S. District Court  
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